

**EXHIBIT E**



**UNIVERSITY OF WASHINGTON**  
Office of Public Records and Open Public Meetings  
4311 11<sup>th</sup> Ave NE Suite 360, Seattle, WA 98105

**Prepared for release:** December 4, 2015

Mr. David F. Betz  
IMPACTLAWGROUP PLLC  
1325 Fourth Avenue, Suite 1400  
Seattle, WA 98101

Re: Public Records Request PR-2015-00570 (COMPLETE)

Dear Mr. Betz:

This letter is provided in response to your public records request for records relating or pertaining to Julie Dalessio..

Upon review, the Office of Public Records and Open Public Meetings has found certain items partially *and/or* wholly exempt from inspection and copying and has made the appropriate **redactions** *and/or* **exemptions** per the following Public Records Act provision(s):

**FERPA STUDENT PRIVACY**

The University finds the student records responsive to your request exempt from inspection and copying. In so doing, the University cites the Federal Family Educational Rights and Privacy Act (FERPA) which is incorporated into the state's Public Disclosure Laws by virtue of RCW 42.56.070. In prohibiting schools and institutions of higher education from releasing educational records the federal statute defines educational records as follows: "those records, files, documents, and other material which - (i) contain information directly relating to a student, (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution." 20 U.S.C. 1232g(a)(4)(A); 34 CFR Part 99.

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**HIPAA HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT**

Federal law precludes the inspection and copying of the protected health information responsive to your request. HIPAA and State healthcare privacy laws also preclude release of records in which it could be possible to determine the identity of persons receiving health care. In these situations, this Office also redacts the potentially identifying information about patients from any responsive records to comply with the law. The University cites the Health Insurance Portability & Accountability Act of 1996 which is incorporated into the state's Public Disclosure Laws by virtue of RCW 42.56.070. Authorization is required for the use or disclosure of Protected Health Information. 45 CFR Part 160 & 164.

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**RCW 42.56.050 INVASION OF PRIVACY**

A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

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**RCW 42.56.070(1) OTHER STATUTE**

Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of \*subsection (6) of this section, this chapter, or other statute which exempts or prohibits disclosure of specific information or records.



RCW 42.56.230(3) EMPLOYEE PRIVACY

The following personal information is exempt from public inspection and copying under this chapter: (3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

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RCW 42.56.230(3)\*\* PERFORMANCE EVALUATIONS

Under the Public Disclosure Laws of Washington State, the performance evaluations responsive to this request are exempt from third party review in accordance with RCW 42.56.050 and RCW 42.56.230(3) as well as per the guidelines set by the court in Dawson v Daly, 120 Wn. 2d 782 (1993).

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RCW 42.56.230(4) TAXPAYER INFORMATION

The following personal information is exempt from public inspection and copying under this chapter: (4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

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RCW 42.56.250(1) TEST QUESTIONS

Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;

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RCW 42.56.250(2) EMPLOYMENT APPLICATIONS

The following employment and licensing information is exempt from public inspection and copying under this chapter: (2) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

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RCW 42.56.250(3) EMPLOYEE INFORMATION

The following information is exempt from public inspection and copying under this chapter: (3) The following information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers of any public agency: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, driver's license numbers, identicard numbers, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency.

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RCW 70.02.020 MEDICAL RECORDS

Except as authorized in RCW 70.02.050, a health care provider, an individual who assists a healthcare provider in the delivery of health care, or an agent and employee of a health care provider may not disclose health care information about a patient to any other person without the patient's written authorization.

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An inventory of wholly exempt items is enclosed for your convenience as per RCW 42.56.210(3).

The records partially responsive to your request are enclosed as provided by the Public Records Act of Washington State. This concludes the University's response to your public records request. Please contact our office if you have any questions or concerns.

Sincerely,



Alison Swenson  
Compliance Analyst

Encl.